

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

AFFORDABLE CARE, LLC

PLAINTIFF

VS.

CIVIL ACTION NO. 1:21-cv-00085-TBM-RPM

RAELINE K. MCINTYRE, DMD

and

RAELINE K. MCINTYRE, DMD, P.C.

DEFENDANTS

**DEFENDANTS' REPLY IN SUPPORT OF THEIR APPLICATION TO
CONFIRM ARBITRATION AWARD**

COMES NOW Defendants, Raeline K. McIntyre, DMD (“Dr. McIntyre”) and Raeline K. McIntyre, DMD, P.C. (the “Practice”) (collectively “Defendants”), and file this their Reply in Support of their Application to Confirm Arbitration Award against Plaintiff, Affordable Care, LLC (“Affordable” or “Plaintiff”), and would show unto this Honorable Court the following:

The crux of Affordable’s contention is that Mr. Paul Sun, a highly respected lawyer in North Carolina, participated in an arbitration where the arbitrator, Mr. Charles Holton, another highly respected attorney in North Carolina and who is also a professor at Duke University School of Law, is his client. Affordable asserts that neither Mr. Sun nor Mr. Holton disclosed this very necessary piece of information.

However, a review of all that has been offered by Affordable reveals that its allegations are advanced in the absence of proof, devoid of merit, frivolous, and sanctionable. Affordable lost the arbitration in North Carolina not because the arbitrator was corrupt (a reprehensible suggestion about another lawyer), nor because there was some deep-seated relationship between the arbitrator and one of Defendants’ attorneys, but because – just as in this matter – it had no proof to support its allegations.

WHEREFORE, PREMISES CONSIDERED, Defendants, Raeline K. McIntyre, DMD (“Dr. McIntyre”) and Raeline K. McIntyre, DMD, P.C., pray that this Honorable Court enter judgment on the arbitration award attached to the Application to Confirm Arbitration Award [Dkt. 20] attached thereto as Exhibit “B”, confirming the same, such that the judgment confirming the arbitration award may be executed upon by Defendants to the greatest extent provided by law.

Respectfully submitted, this the 6th day of July, 2021.

RAELINE K. MCINTYRE, DMD AND
RAELINE K. MCINTYRE, DMD, P.C.

BY: BALCH & BINGHAM LLP

BY: /s/ K.C. Hightower
Of Counsel

K.C. Hightower (MSB# 101246)
Katie Hood (MSB# 104659)
BALCH & BINGHAM LLP
1310 Twenty Fifth Avenue
Gulfport, MS 39501
Telephone: (228) 864-9900
Facsimile: (228) 864-8221
kchightower@balch.com
khood@balch.com

CERTIFICATE OF SERVICE

I hereby certify that I have, this the 6th day of July, 2021, electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which delivered a copy of the same to all counsel of record who have properly registered with the ECF system.

s/ K.C. Hightower

Of Counsel